

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

POLYMER TECHNOLOGY SYSTEMS,  
INC.

Plaintiff,

v.

CIVIL ACTION NO. 1:10-cv-0061 LJM-TAB

ROCHE DIAGNOSTICS CORPORATION,  
ROCHE DIAGNOSTICS GMBH, ROCHE  
DIAGNOSTICS OPERATIONS, INC.,  
ROCHE OPERATIONS LTD

Defendants.

**PTS's RESPONSE TO DEFENDANTS'**  
**MOTION FOR INITIAL ENLARGEMENT**

Plaintiff, Polymer Technology Systems, Inc. ("PTS"), responds in opposition to Defendants' Motion for Initial Enlargement of Time to respond to PTS's Complaint. In support of its response, PTS states as follows:

1. Pursuant to S.D. Ind. L.R. 6.1(a), a party wishing to obtain an initial 28-day extension of time within which to file a response to a pleading "must contact counsel for the opposing party and solicit opposing counsel's agreement to the extension."

2. Counsel for Defendants contacted the undersigned counsel to request an initial 28-day extension. However, Defendants' Motion for Enlargement does not reflect the entirety of those communications and it fails to set forth the bases for PTS's refusal to agree to an initial extension.

3. When Defendants first asked for PTS's agreement to the extension, the undersigned explained that PTS would agree to an initial 28-day extension if Defendants

REDACTED

REDACTED

Defendants declined this request.

4. PTS then asked for Defendants' agreement that all four Defendants would not contest service of process in this matter. Again, Defendants declined.

5. Accordingly, PTS does not agree to Defendants' request for a 28-day enlargement of time to respond to PTS's Complaint.

Respectfully submitted,

/s/David J. Hensel

David J. Hensel (Atty No.: 15499-49)

TAFT STETTINIUS & HOLLISTER LLP

One Indiana Square, Suite 3500

Indianapolis, Indiana 46204

Tele: 317-713-3500

Fax: 317-713-3633

Email: [dhensel@taftlaw.com](mailto:dhensel@taftlaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on February 11, 2010, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Nancy G. Tinsley  
ROCHE DIAGNOSTICS OPERATIONS, INC.  
[nancy.tinsley@roche.com](mailto:nancy.tinsley@roche.com)

/s/David J. Hensel

David J. Hensel

TAFT STETTINIUS & HOLLISTER LLP

One Indiana Square, Suite 3500

Indianapolis, Indiana 46204

Tele: 317-713-3500

Fax: 317-713-3633

Email: [dhensel@taftlaw.com](mailto:dhensel@taftlaw.com)